

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WALGREEN CO.,)
Plaintiff,)
v.) Civil Action No. 16-1040-RGA
THERANOS, INC.,) JURY TRIAL DEMANDED
Defendant.)

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a) and the terms of a confidential settlement agreement entered into by the parties, Plaintiff Walgreen Co. and Defendant Theranos, Inc., by and through their undersigned counsel, hereby stipulate and agree, subject to the approval of the Court, to the dismissal *with prejudice* of all claims and prayers for relief in this action. Each party shall bear its own costs, expenses, and attorneys' fees.

This Stipulation of Dismissal with Prejudice is made pursuant to the terms of the parties' confidential settlement agreement. The parties previously filed a stipulation of dismissal *without prejudice*, also pursuant to the terms of the confidential settlement agreement, which the Court entered (D.I. 24). Now that certain conditions of the confidential settlement agreement have been satisfied, the parties file this Stipulation of Dismissal with Prejudice.

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Dated: August 24, 2017
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SO ORDERED this 25 day of August, 2017.

Richard G. Andrews
United States District Judge